

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

JONATHAN SCHWENKE

PLAINTIFF

v.

No. 5:15-CV-05303

DEPUTY JACOB CIFUENTES

DEFENDANT

**ORDER**

The Court has received a report and recommendation (Doc. 26) from United States Magistrate Judge Erin L. Wiedemann. No objections have been filed and the deadline to file objections has passed. The Magistrate recommends that the Court deny Defendant's motion for summary judgment. The Court has carefully reviewed the report and recommendation and finds that it is proper and contains no clear error. The report and recommendation (Doc. 26) is ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that Defendant's motion for summary judgment (Doc. 18) is DENIED. This case will be set for trial and an amended scheduling order will issue separately.

IT IS SO ORDERED this 16th day of June, 2017.

*/s/ P. K. Holmes, III*

P.K. HOLMES, III  
CHIEF U.S. DISTRICT JUDGE